

**REMARKS**

Claims 1-5 and 7-21 are pending in the present application. Claim 8 has been amended. Claims 1, 8, and 13 are independent claims. The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and the following Remarks.

***Allowable Subject Matter***

It is gratefully acknowledged that the Examiner has allowed claims 1-5, 7, and 12-21.

***Personal Interview of October 17, 2008***

Applicants wish to thank Examiner Lun-See Lao for taking the time to discuss the present application with Applicants' representative, Jason Rhodes (Reg. No. 47,305), during the personal interview on October 17, 2008.

**Claims Discussed:** Claim 8.

**Prior Art Discussed:** Specifically, JP 11-186924 to Tsuji (hereafter "Tsuji") was discussed. However, U.S. Patent No. 4,727,580 to Sakai (hereafter "Sakai") also relates to the ground of rejection which was discussed.

**Proposed Amendment:** The above amendment of claim 8 was discussed as a proposed amendment during the interview.

**General Results:** Agreement was reached that the proposed amendment would overcome the rejection based on Sakai and Tsuji. However, the Examiner expressed concern as to whether the amendment may present a problem under 35 U.S.C. § 112, 1<sup>st</sup> paragraph. Applicants' representative agreed to point out in the response where the amendments were supported.

### ***Specification***

The specification has been amended at page 16, line 21 to correct a typographical error. Applicants submit that this amendment does not add new matter to the present application. For instance, upon cursory review of Figs 2A and 2B, it will be readily apparent that the paragraph in the specification starting at page 16, line 21, is actually referring to Fig. 2B.

### ***Rejection Under 35 U.S.C. § 103***

Claims 8-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakai in view of Tsuji. This rejection is respectfully traversed.

Without conceding the validity of this rejection, Applicants have amended independent claim 8 in an effort to expedite prosecution by further distinguishing over the applied references.

Particularly, claim 8 has been amended to recite first and second correctors configured to apply different correction techniques for correcting the detected noise, and a selector which selects between the first and second correctors based on a detected level of a high band component of the audio signals. According to amended claim 8, the correction technique of the first corrector is designed to produce a smaller correction error than that of the second corrector when the audio signals have a relatively low frequency with respect to the period of the corrected noise. Further, amended claim 8 recites that the correction technique of the second corrector is designed to produce a smaller correction error than that of the first when the audio signals have a relatively high frequency with respect to the period of the corrected noise.

As discussed above, the Examiner agreed that the aforementioned claim amendments overcome the present § 103 rejection during the October 17, 2008 interview. For instance, these amendments more clearly distinguish over Tsuji's high region interpolation circuit 23, which applies a *singular* correction technique for correcting noise in the audio signal. As such, the Examiner's proposed combination of Sakai and Tsuji fails to teach or suggest every claimed feature.

Further, Applicants respectfully submit that the aforementioned amendments are fully supported in the present application. E.g., these amendments find support in Figs. 2A and 2B; page 14, line 18 - page 15, line 5; page 15, lines 12-17; and page 15, lines 16-25. Further explanation is provided below.

The legends in Figs. 2A and 2B, respectively, clearly show that the  $\nabla$  mark refers to the correction value obtained by a first correction technique (intermediate and low band correction), and the  $\circ$  mark refers to the correction value obtained by a second correction technique (high band correction). Further, page 14, lines 18-19 describe that the  $\bullet$  mark is the signal level to be originally obtained when noise is not generated. Further, page 14, line 24 - page 15, line 5 and page 15, lines 12-17 clearly refers to the difference between  $\bullet$  and  $\nabla$  as showing "the error by the correction" when the first correction technique is used. This implicitly discloses that the difference between  $\bullet$  and  $\circ$  shows the correction error when the second correction technique is used.

Further, page 16, lines 16-20, and Fig. 2A clearly disclose that the difference between  $\bullet$  and  $\nabla$  (correction error for 1<sup>st</sup> correction technique) is smaller than difference between  $\bullet$  and  $\circ$  (correction error for 2<sup>nd</sup> correction technique) when "the frequency is low compared to the correction period" (page 16, lines 18-19). This clearly supports the claimed element of "the first correction technique being designed to produce a smaller correction error than the second correction technique when the audio signals have a relatively low frequency with respect to a period of the detected noise."

Also, page 16, lines 21-25, and Fig. 2B clearly disclose that the difference between  $\bullet$  and  $\circ$  (correction error for 2<sup>nd</sup> correction technique) is smaller than difference between  $\bullet$  and  $\nabla$  (correction error for 1<sup>st</sup> correction technique) when "the frequency is high to the correction period" (page 16, lines 23-24). This clearly supports the claimed element of "the second correction technique being designed to produce a smaller correction error than the first correction technique when the audio signals have a relatively high frequency with respect to the period of the detected noise."

Thus, it is clear that the original specification and drawings provide more than adequate support for the above amendments of claim 8.

At least for the reasons set forth above, applicants respectfully submit that claims 8-11 are in condition for allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

### ***Conclusion***

Since the remaining patent cited by the Examiner has not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

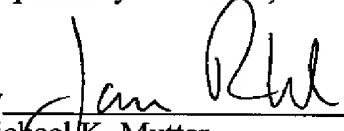
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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